

Amendment No. 1 to HB2872

White
Signature of Sponsor

AMEND Senate Bill No. 2805

House Bill No. 2872*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 61, is amended by adding the following language as a new section:

(a)

(1) Each local board of education shall adopt a policy requiring the LEA's schools to develop plans to provide mental and behavioral health services to students with adverse childhood experiences (ACEs), as defined in § 49-1-230. If a school employee finds that a student has one (1) or more ACEs, then the school employee shall report the finding to the school principal or the school counselor. Within ten (10) days of the report, the school principal or the school counselor shall confer with the student's parent and shall refer, with the parent's consent, the student to a school mental health counselor. If the school principal or the school counselor fails to refer a student to a school mental health counselor within ten (10) days of the report, then the director of schools or the director's designee shall confer with the student's parent and shall refer, with the parent's consent, the student to a community-based behavioral health provider within fifteen (15) days of the expiration of the ten-day period. An LEA, school, LEA employee, or school employee shall not be liable for the cost of any counseling or other mental health services provided to a student, regardless of whether the student received the services pursuant to a referral under this subdivision (a)(1).

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(2) Notwithstanding subdivision (a)(1), if a school employee has knowledge or reasonable cause to suspect that a student at the school is a victim of child abuse or child sexual abuse, then the school employee shall act in accordance with the requirements of § 37-1-403, § 37-1-605, or § 49-6-1601.

(b) As used in this section:

(1) "Parent" means a parent, guardian, person who has custody of the child, or an individual who has caregiving authority under § 49-6-3001; and

(2) "School mental health counselor" means any of the persons listed in § 49-2-124(c)(1)-(9) who may perform an evaluation for psychiatric diagnosis or treatment.

SECTION 2. Tennessee Code Annotated, Section 49-1-230, is amended by adding the following as a new subsection:

Each LEA shall conduct at least one (1) ACEs training seminar for parents and community-based partners annually. At a minimum, the seminars shall address the topics listed in subsection (b).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.